

REMARKS/ARGUMENTS

Claims 1 and 3 – 5 are rejected under 35 U.S.C. § 102, claims 8 – 15 are rejected 35 U.S.C. § 112 and claim 2 is rejected under 35 U.S.C. § 101. In light of the arguments below and the amendments above, Applicants respectfully request reconsideration.

§ 102 Rejections

Claims 1 and 3 – 5 are rejected under 35 U.S.C. § 102(b) as being anticipated by Prochaska, et al., characterized by the Examiner as teaching “BNA (beta-naphthoflavone)”. Applicants note that Prochaska, et al. do not teach endogenous Ah receptor ligands of the present invention. The beta-naphthoflavone of Prochaska, et al. is not described as an Ah receptor ligand and certainly not an “endogenous” Ah receptor ligand. It is not similar in formula to suggested Ah ligands described by Applicants.

§ 112 Rejections

The Examiner has rejected claims 8 – 15 as being indefinite as not adequately disclosing all the steps required to obtain the product. While disagreeing with the Examiner’s characterization of the claims, Applicants have amended claim 8 to further clarify the invention.

§ 101

Claim 2 is rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. Applicant has amended claim 2 to specify that the preparation is isolated.

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Applicants note new claims 16 and 17 wherein the preparation of claim 2 is at least 90% pure and is at least 95% pure.

No fee is believed necessary to enter this response. However, if any fees are necessary, please charge Deposit Account 17-0055.

Respectfully submitted,

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